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CINCPACREP GUAM

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E.O. 11652: GDS

TAGS:UN, TQ

SUBJECT:TTPI: FUTURE STATUS MARIANA ISLANDS

CINCPACREP PASS TO AMBASSADOR F. HAYDN WILLIAMS AND TO
STATUS LNO SAIPAN

FROM DEP. ASST. SECRETARY SNEIDER

REF: USUN 2321

1. MY MAY 8 MEMORANDUM (COPY ON GUAM WITH DICK SCOTT) TO
JIM WILSON EXPRESSED STATE'S VIEWS CONCERNING NEED FOR A
REFERENDUM PRIOR IMPLEMENTATION SEPARATE ADMINISTRATION
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IN MARIANA ISLANDS. CONSIDERATIONS RAISED BY AMBASSADOR

WHITE (REFTEL) ARE SUCH THAT WE BELIEVE IT NECESSARY TO REVIEW AND REFINE THOSE STATE CONCERNS THAT WE HOPE WILL BE TAKEN UP WITH MARIANA STATUS COMMISSION CHAIRMAN PANGELINAN.

2. USUN AND DEPARTMENT HOLD THAT ESTABLISHING A SEPARATE MARIANAS ADMINISTRATION WILL HAVE PRACTICAL EFFECT OF DEFINITELY AND IRREVERSIBLY ESTABLISHING MARIANAS FUTURE STATUS. ANY STATUS PLEBISCITE HELD AFTER IMPLEMENTATION OF SEPARATE ADMINISTRATION THEREFORE COULD BE (IN EYES OF UN AND OTHERS) MOCKERY OF "SELF-DETERMINATION" IN THAT MARIANAS PEOPLE WOULD BE PRESENTED WITH REQUEST TO ENDORSE A FAIT ACCOMPLI. IN THIS CONNECTION, USUN HAS POINTED OUT (AND DEPARTMENT SUPPORTS THAT VIEW) THAT UN TRUSTEESHIP COUNCIL ENDORSEMENT AND UN SECURITY COUNCIL APPROVAL OF TERMINATION OF TRUSTEESHIP AGREEMENT AND OF SEPARATE COMMONWEALTH STATUS FOR MARIANAS HINGES ON CONDITION MARIANAS PEOPLE IN THEIR STATUS PLEBISCITE BE GIVEN CLEARLY UNDERSTOOD OPTION TO REMAIN WITH REST OF MICRONESIA AND SHARE IN ITS FUTURE. PRINCIPLE OF SEPARATE ADMINISTRATION IS ACCEPTED BY OUR FRIENDS ON UNCT, BUT THEY ASSUME THAT THIS STEP WILL BE TAKEN AFTER MARIANAS PLEBISCITE, NOT BEFORE.

3. FOLLOWING PNG INDEPENDENCE (LIKELY BEFORE 1975 UNCT SESSION), AUSTRALIA LEAVES UNCT. MEMBERS WILL THEN BE US, USSR, PRC, UK, FRANCE. EVEN ASSUMING PRC CONTINUES AVOID TAKING ITS SEAT, FAVORABLE VOTING PATTERN WILL DEPEND ON FRENCH AND UK, WITH FORMER UNPREDICTABLE. THIS REQUIRES MORE THAN EVER BEFORE THAT WE TAKE INTO ACCOUNT LIKELY ATTITUDES OF UNCT TOWARD OUR ACTIONS IN MARIANAS. FORM MAY COUNT AS MUCH AS SUBSTANCE. ADDITIONALLY YOU WILL RECALL THAT NSC UNDER SECRETARIES ENDORSED LAST YEAR'S MARIANAS STATUS STUDY WHICH WENT TO PRESIDENT, WAS BASIS OF HIS NEGOTIATING INSTRUCTIONS, AND WHICH CONTAINED FOLLOWING LANGUAGE: "NO ACTION SHOULD BE TAKEN WITH REGARD TO THE MARIANAS WHICH WOULD PREJUDICE THE UNITED STATES' ABILITY AND OPTION TO SEEK SECURITY COUNCIL APPROVAL (OF THE FUTURE STATUS OF THE MARIANAS AND OF TERMINATION OF THE TRUSTEESHIP AGREEMENT)." IMPLEMENTATION SEPARATE ADMINISTRATION WITHOUT PRIOR REFERENDUM OR PLEBISCITE IN OUR VIEW COULD BE CONFIDENTIAL

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SUCH AN ACTION; IT COULD MAKE THE DIFFERENCE BETWEEN UNCT (AND ULTIMATELY UNSC) CONDEMNATION OR ACCEPTANCE OF US ACTIONS IN THE MARIANAS.

4. WE DO RECOGNIZE THAT POSSIBILITY OF A REFERENDUM PRIOR TO SEPARATE ADMINISTRATION WAS DISCUSSED WITH MARIANAS STATUS COMMISSION IN MAY, AND THAT COMMISSION ARGUED STRONGLY REFERENDUM NOT NECESSARY SINCE COMMISSION ADE-

QUATELY IN TOUCH WITH SENTIMENT MARIANAS PEOPLE, AND SINCE DISTRICT LEGISLATURE RESOLUTION WOULD SUFFICE TO EXPRESS WILL OF MARIANAS PEOPLE. USG CAN OF COURSE UNDERSTAND THIS POSITION, BUT COMMISSION'S NEEDS ARE NOT NECESSARILY OURS. US INTERESTS REQUIRE MINIMUM OF CONTROVERSY ON UN ASPECTS OF CHANGE.

5. FOLLOWING ELEMENTS APPEAR DESIRABLE FOR SETTING UP SEPARATE ADMINISTRATION AND STATUS PLEBISCITE.

A. ///// SEPARATE ADMINISTRATION SHOULD NOT REPEAT NOT BE IMPLEMENTED UNTIL AFTER STATUS PLEBISCITE ON COMMONWEALTH AGREEMENT (ALTHOUGH SECRETARIAL ORDER CAN BE PREPARED, AND ORGANIZATIONAL GROUNDWORK CAN BE LAID IN MARIANAS). WE UNDERSTAND THIS WOULD MEAN SEPARATE ADMINISTRATION BY EARLY NEXT SPRING AT LATEST. (FOR TACTICAL REASONS DESCRIBED IN MY MAY 8 MEMO, IT WOULD IN ANY EVENT BE UNWISE TO IMPLEMENT SEPARATE ADMINISTRATION PRIOR TO DISTRICT LEGISLATURE ENDORSEMENT OF COMMONWEALTH COVENANT.)

B. HOWEVER, IF IT IS NOT PRACTICAL TO HOLD SUCH COMMONWEALTH PLEBISCITE BY EARLY 1975, AND SEPARATE ADMINISTRATION MUST BE IMPLEMENTED BY THAT TIME, IMPLEMENTATION SHOULD INSTEAD BE PRECEDED BY POPULAR MANDATE IN FORM OF SPECIAL REFERENDUM, TO WHICH UN OBSERVERS COULD BE INVITED. POLITICAL EDUCATION CAMPAIGN PRECEEDING SUCH A REFERENDUM (AS IN CASE OF STATUS PLEBISCITE) MUST ALSO MAKE CLEAR TO PEOPLE OF MARIANAS NOT ONLY THE IMPLICATIONS OF SEPARATE ADMINISTRATION, BUT ALSO DESCRIBE THE ALTERNATIVE FORMS OF STATUS THAT WOULD BE AVAILABLE IF MARIANAS REJECT SEPARATE ADMINISTRATION OR (ULTIMATELY) COMMONWEALTH STATUS IN A STATUS PLEBISCITE (AND THUS CONFIDENTIAL

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OPTS TO REMAIN WITH REST OF MICRONESIA).

C. RE TIMING OF STATUS PLEBISCITE (PARA TWO REFTTEL), UNTC CLEARLY HAS IN MIND SIMULTANEOUS PLEBISCITE FOR MARIANAS AND REST OF MICRONESIA. WE RECOGNIZE PACE OF SEPARATE NEGOTIATIONS AND OTHER CONSIDERATIONS ARE SUCH THAT THIS MAY BE NEITHER POSSIBLE NOR DESIRABLE. HOWEVER, AS INDICATED ABOVE, IT REMAINS IMPERATIVE (IN TERMS OF UNTC AND UNSC CONSIDERATION OUTCOME MARIANAS STATUS PLEBISCITE) THAT MARIANAS PEOPLE CLEARLY UNDERSTAND ALTERNATIVES THAT WILL BE OPEN TO THEM SHOULD THEY REJECT COMMONWEALTH STATUS.

6. TO SUM UP, WE CAN OBTAIN ALL OF OUR OBJECTIVES IN THE MARIANAS IN A MANNER WHICH MAKES LIKELY ULTIMATE UN

APPROVAL, OR WE CAN SEEK ACHIEVEMENT OF THOSE OBJECTIVES IN A MANNER WHICH WILL SHARPLY REDUCE PROSPECTS FOR UN APPROVAL. THE LACK OF SUCH APPROVAL COULD PLACE USG IN THE POSITION OF ATTEMPTING TO TERMINATE UNILATERALLY AN INTERNATIONAL AGREEMENT -- THE TRUSTEESHIP AGREEMENT -- AND OF HAVING TO LIVE WITH THE LEGAL AND POLITICAL PROBLEMS THAT FLOW FROM SUCH PRECEDENT. DELAYS REQUIRED BY TAKING NECESSARY STEPS TO ASSURE FAVORABLE UN CONSIDERATION CAN BE MEASURED IN MONTHS, NOT YEARS -- AND WOULD HAVE THE ADDED ADVANTAGE OF MINIMIZING BASIS FOR ATTACKS ON US BY DISSIDENT ELEMENTS THROUGHOUT MICRONESIA, AS WELL AS IN MARIANAS.

7. GIVEN THE FOREGOING, WE URGE THAT YOU AGAIN REVIEW WITH SENATOR PANGELINAN HOW BOTH US AND MARIANAS INTERESTS CAN BE BEST SERVED BY ASSURING THAT SEPARATE ADMINISTRATION FLOWS FROM WHAT THE WORLD WILL SEE AS THE MANDATE OF THE PEOPLE OF THE MARIANAS -- PREFERABLY THE STATUS PLEBISCITE, BUT IF ESSENTIAL, AN EARLIER SPECIAL REFERENDUM.

8. I REALIZE THAT GOING BACK TO SENATOR PANGELINAN ON THIS ISSUE COULD PUT CRIMP INTO YOUR PLANNING AND CLEARLY NONE OF US WISH TO UNDERMINE EXCELLENT PROGRESS MADE SO FAR ON MARIANAS AGREEMENT. NEVERTHELESS, WE DO FACE SERIOUS DILEMMA ON THIS ISSUE AND HOPE YOU CAN PERSUADE

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SENATOR PANGELINAN ON IMPORTANCE ABOVE POINTS. WE WILL WANT TO DISCUSS MATTER FURTHER WITH YOU ON YOUR RETURN.

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